

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WELLS FARGO BANK NA,

Plaintiff,

-vs-

Case No. 12-C-271

**IVAN RENE MOORE,
RUFFTOWN ENTERTAINMENT GROUP, Inc.,
RADIO MULTI MEDIA, Inc., and
RENEE MOORE MUSIC, Inc.,**

Defendants.

DECISION AND ORDER

The complaint in this matter was filed on March 31, 2012. In late July, the Court granted Wells Fargo's motion for an order enjoining the defendants—Ivan Rene Moore, Rene Moore Music, Inc., Rufftown Entertainment Group, Inc., and Radio Multi Media, Inc.—from “demolishing, damaging, or directing the demolition of, or damage to, any property or assets at issue in this lawsuit, including the buildings, radio tower, fixtures, appurtenances, improvements, structures, alterations, additions, fitting, appliances, equipment, machinery, material, and all other real and personal property located at 3042 West Locust Street and 2001 West Capital Drive, Milwaukee, Wisconsin.” ECF No. 15, Order Granting Emergency Motion for Temporary Restraining Order and Preliminary Injunction.

A few weeks before that order was entered, Ivan Rene Moore, appearing *pro se*, filed a motion to dismiss, purporting to act on behalf of himself and his corporate co-defendants. On September 26, Wells Fargo moved for the entry of default and for default judgment

against the corporate defendants on the grounds that they failed to answer or otherwise defend in a timely manner. In response, Mr. Moore filed a motion to stay, requesting “at least six (6) months to look for funds for which to seek the assistance of counsel in this cause.” ECF No. 24 at 3. The parties then requested mediation, which was unsuccessful.

Regarding Moore’s motion to dismiss, it must be denied because Wells Fargo’s complaint contains “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” *Agnew v. Nat’l Collegiate Athletic Ass’n*, 683 F.3d 328, 334 (7th Cir. 2012) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662 (2009) and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).

Regarding the other pending motions, the Court will hold them in abeyance at least until Wells Fargo files a response to Moore’s motion to stay, as set forth below.

NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:

1. Moore’s motion to dismiss [ECF No. 10] is **DENIED**; and
2. Wells Fargo should file a response to Moore’s motion to stay on or before

March 1, 2013.

Dated at Milwaukee, Wisconsin, this 14th day of February, 2013.

BY THE COURT:



HON. RUDOLPH T. RANDA
U.S. District Judge